



Patent

Attorney's Docket No. 238663US25DIV/705751-2001

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**Jack D. PIPPIN**

Application No.: **09/707,448**

Art Unit: **2123**

Filed: **November 7, 2000**

Examiner: **Jason Scott PROCTOR**

For: **TEMPERATURE AVERAGING THERMAL SENSOR APPARATUS AND METHOD**

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO/SB/08a are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

**I. Timing of the Information Disclosure Statement:**

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☐ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-4047 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).
- ☒ After a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed. This fee (\$180) should be charged to the undersigned's Deposit Account No. 50-4047.

## II. Copies of the Cited Items:

- ☒ Copies of all of the items listed on the attached Form PTO/SB/08a are enclosed.
- ☐ Copies of items listed on the attached Form PTO/SB/08a are not supplied because they were previously cited by or submitted to the Patent Office in prior Application No. 10/588,284, filed August 4, 2006, and relied upon in this application for an earlier filing date under 35 U.S.C § 120.  
*See 37 C.F.R. § 1.98(d).*
- ☐ Copies of those items which are marked with an asterisk (\*\*) in the attached Form PTO-1449 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.
- ☐ Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. Patents and U.S. Patent Application Publications are not enclosed since it is no longer required.

## III. Conclusion:

Citation of the above documents shall not be construed as:

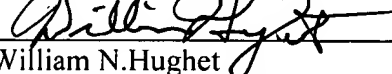
1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO-SB/08a with initials or other appropriate marks.

The Commissioner is hereby authorized to charge Deposit Account No. 50-4047 for any additional fees required in connection with the filing of this Information Disclosure Statement.

Respectfully submitted,  
BINGHAM MCCUTCHEN, L.L.P.

Date: March 30, 2009

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